

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

[1] JOSEPH MORALES ALDAHONDO

Defendant.

CRIM. NO. 03-107 (DRD)

O R D E R

The defendant filed a motion to dismiss the indictment for violation of statutory right to speedy trial (Docket No. 100). The U.S. timely filed a response motion to dismiss the indictment for violation of statutory right to speedy trial (Docket No. 101). A hearing as to those motions is set for **April 26, 2005 at 2:00 p.m.**

The Court makes a preliminary determination that the speedy trial has not expired, since the clock deadline as of today is April 20, 2005, but the motion filed on March 29, 2005, continues to toll the speedy trial until the same is decided, provided a timely decision by the Court. Since it appears to be only seven (7) days left on the speedy trial pursuant to the Speedy Trial Query at CM/ECF, the matter is sufficiently close for the Court to set a hearing on the issue.¹

The Court will decide the matter within thirty (30) days after the hearing. If the decision is

¹The Court includes the Speedy Trial Query computer generated document wherein the parties may corroborate that in fact there are seven days left, and currently there are two pending motions (Dockets No. 100 & 102) which are excludables.

adverse to the defendant, jury trial shall begin within seven (7) days.

The parties are to be ready to fully discuss all excludables tolling events.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 13th day of April 2005.

S/ DANIEL R. DOMINGUEZ

DANIEL R. DOMINGUEZ

U.S. DISTRICT JUDGE